

REMARKS

Applicant previously cancelled claims 1-24 and inadvertently switched to a new invention. The examiner did not exercise his discretion to enter such amendment. Therefore, Applicant has now reinstated original claims 1-24 and submits the following response to the final action mailed July 9, 2003.

The examiner rejected claims 1-24 as being obvious over UK Patent No. 2203571 to Benson combined with U.S. Patent No. 5,388,211 to Hornbuckle. Applicant respectfully transverses the examiner's rejections.

Benson relates to a data bank updating system. In Benson "any item of the data bank can be called to the monitor screen by actuation of the keyboard according to conventional principles". See Benson, page 1, lines 21-24. However, Benson does not ensure that the most up-to-date information is displayed each time the item of data is called up. In Benson, an administration centre 30 periodically transmits data alterations to an electronic mail box 20 for a user 10.

In one embodiment, a user must manually request his mail messages from the mail box 20 in order for the data bank to be altered. In other words, Benson relies on the user to request that his mail messages be forwarded in order for updates to occur. In another embodiment, the remote computer may periodically call the electronic mail box 20 automatically for forwarding of any stored messages and at such time update the data bank. See Benson, page 1, line 24 through page 2, line 10.

A user of the Benson device could call up an out-of-date item of data to be displayed on the monitor screen even though the data has been previously updated by the administration centre 30 and sent to the user's electronic mail box 20. In Benson, the step of selecting one of the data items does not generate a data request query related to the selected data item. The user must either separately request mail messages or wait until a predetermined period of time has elapsed for the update to occur. Therefore, the user in Benson may access out-of-date information.

Applicant has amended claim 1 to more particularly point out and distinctly claim the step of "generating a data request query related to the selected product at the remote computer in response to the selecting step". Claim 1 has also been amended to recite the step of "transmitting the data request query related to the selected product from the remote computer to the main computer". Benson does not disclose or suggest transmitting any data request based on a selected product or data item.

Benson's mail request is not a data request query which is generated based on a selected product. Benson also does not disclose or suggest selecting updated product data at the main computer in response to receipt of a data request query related to the selected product. Transmissions of alterations to the mail boxes 20 in Benson are not based on data queries generated in response to a user selecting data items. If a user in Benson does not remember to obtain his mail messages prior to browsing the data bank, outdated information may be viewed on monitor 12.

In addition, the examiner admits that Benson fails to disclose automatically terminating a data link between the remote computer and the main computer. For this feature, the examiner relies on Hornbuckle. Hornbuckle relates to a method and apparatus for remotely controlling and monitoring the use of computer software. In column 10, lines 40-42, Hornbuckle states that the host computer 12 commands RCM 18 to turn off power to the target computer 14.

Claims 1 and 18 do not relate to turning off power to a remote computer. Instead, they relate to automatically establishing a data link and automatically terminating the data link at appropriate times.

There is no disclosure or suggestion of any motivation to combine Hornbuckle with Benson to produce the present claimed invention. The Examiner has used improper hindsight to combine the references. Even there was a motivation to combine the references, Hornbuckle does not make up for the deficiencies of Benson.

Independent claim 18 has been amended similarly to claim 1. Therefore, Applicant submits that amended claim 18 also patentably defines the invention over the prior art of record.

For at least these reasons, neither Benson nor Hornbuckle discloses or suggests specific combinations claimed in independent claims 1 and 18, let alone dependent claims 2-17 and 19-24. Therefore, Applicant submits that claims 1-24 patentably define the invention over the combination of Benson and Hornbuckle.

In view of the patentability of amended independent claims 1 and 18 over the prior art of record, Applicant will not respond to each and every one of the examiner's rejections regarding the dependent claims. Applicant disagrees with the examiner's rejections and reserves the right to argue these rejections later.

In the event that the examiner has any questions related to this response, or to the application in general, the undersigned would appreciate the opportunity to address those questions in a telephone interview to expedite the prosecution of this application for all concerned.

Respectfully submitted,

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